

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:17-cr-70
v.)	
)	Judge Travis R. McDonough
TOMMY DEAN)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 84] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count One of the Indictment; (2) accept Defendant's guilty plea as to Count One of the Indictment; (3) adjudicate Defendant guilty of conspiracy to distribute 5 kilograms or more of a substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 846; and (4) order that Defendant remain in custody until sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 84] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count One of the Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of conspiracy to distribute 5 kilograms or more of a substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 846; and
4. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on November 17, 2017 at 9:00 a.m. before the undersigned.

SO ORDERED.

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**